

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TRANSPORTATION**

**Call to Order:** Chair Gordon Vance, on January 24, 2011 at 3:00 PM, in Room 455  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Gordon Vance, Chair (R)  
Rep. Lee Randall, Vice Chair (R)  
Rep. Carolyn Squires, Vice Chair (D)  
Rep. Elsie Arntzen (R)  
Rep. Tom Berry (R)  
Rep. Edward Greef (R)  
Rep. Krayton Kerns (R)  
Rep. Steve Lavin (R)  
Rep. Jerry O'Neil (R)  
Rep. Matthew M. Rosendale Sr (R)  
Rep. Frank Smith (D)  
Rep. Kathy Swanson (D)

**Members Excused:** Rep. Diane Sands (D)

**Members Absent:** None

**Staff Present:** Stephanie Fletcher, Committee Secretary  
Megan Moore, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 241, 1/24/2011; HB 243, 1/24/2011; HB 246, 1/24/2011

Executive Action: HB 178, HB 187, HB 210, HB 229, HB 246, HB 259,

00:00:58 Chairman Vance

**HEARING ON HB 246**

**Opening Statement by Sponsor:**

00:01:01 Rep. Pat Connell (R), HD 87, opened the hearing on HB 246, Direct Dept. of Transportation to implement statewide compatible mods to GVW.

00:02:17 Rep. Connell would like the bill tabled.

00:02:23 Chairman Vance

00:02:37 Rep. Squires

00:02:48 Chairman Vance

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

00:02:55 Jim Lynch, Director, Montana Department of Transportation

00:03:44 Chairman Vance

00:03:50 Rep. Squires

**EXECUTIVE ACTION ON HB 246**

00:04:09 **Motion:** Rep. Randall moved that **HB 246 BE TABLED**.

00:04:30 **Vote:** Motion carried unanimously by voice vote. Rep. Sands voted by proxy.

00:04:21 Rep. Squires

00:04:28 Chairman Vance

**HEARING ON HB 243**

**Opening Statement by Sponsor:**

00:04:45 Rep. Douglas (Doug) Kary (R), HD 48, opened the hearing on HB 243, Revise laws on uninsured motorists.

**Proponents' Testimony:**

00:05:38 Ed Melcher, Independent Agent, Frontier Insurance Solutions

**EXHIBIT**(trh18a01)

00:14:50 Chairman Vance

**Opponents' Testimony:**

00:15:10 Bruce Spencer, Allstate Insurance

00:17:55 Chairman Vance

00:18:01 Greg Van Horssen, State Farm Insurance Company  
 00:23:09 Chairman Vance  
 00:23:15 Jon Metropoulos, Farmers Insurance Company  
 00:23:48 Chairman Vance

**Informational Testimony:**

00:23:59 Brenda Nordland, Motor Vehicles Division, Department of Justice  
 00:24:34 Chairman Vance

**Questions from Committee Members and Responses:**

00:24:37 Rep. Berry  
 00:25:37 Brenda Nordlund  
 00:26:27 Rep. Berry  
 00:26:34 Chairman Vance  
 00:26:41 Brenda Nordlund  
 00:28:31 Rep. Berry  
 00:28:42 Brenda Nordlund  
 00:30:59 Rep. Berry  
 00:31:11 Brenda Nordlund  
 00:31:34 Rep. Berry  
 00:31:46 Brenda Nordlund  
 00:34:06 Chairman Vance  
 00:34:13 Rep. Arntzen  
 00:34:33 Brenda Nordlund  
 00:34:59 Rep. Arntzen  
 00:35:29 Brenda Nordlund  
 00:35:45 Chairman Vance  
 00:35:50 Rep. Smith  
 00:36:14 Brenda Nordlund  
 00:36:34 Rep. Smith  
 00:36:48 Brenda Nordlund  
 00:37:07 Chairman Vance

**Closing by Sponsor:**

00:37:15 Rep. Kary

[\*\*EXHIBIT\(trh18a02\)\*\*](#)

00:39:55 Chairman Vance

**HEARING ON HB 241**

**Opening Statement by Sponsor:**

00:40:19 Rep. Steve Gibson (R), HD 78, opened the hearing on HB 241, Enforce noise control for off-highway vehicles through FWP enforcement.

**Proponents' Testimony:**

00:42:04 Roger Hagan, Montana Trail Vehicle Riders Association

[\*\*EXHIBIT\(trh18a03\)\*\*](#)

00:50:02 Chairman Vance

00:50:07 Bob Walker, Our Montana Association

**Opponents' Testimony:**

00:53:53 Bob Gilbert, Director, Walleyes Unlimited, Montana  
00:56:42 Chairman Vance

**Informational Testimony:**

00:56:52 Jim Kropp, Chief of Enforcement, Montana Department of Fish, Wildlife and Parks

**EXHIBIT(trh18a04)**

01:00:46 Chairman Vance

**Questions from Committee Members and Responses:**

01:00:55 Rep. O'Neil  
01:01:18 Jim Kropp  
01:01:27 Rep. O'Neil  
01:01:42 Jim Kropp  
01:02:30 Rep. O'Neil  
01:02:42 Jim Kropp  
01:03:04 Rep. O'Neil  
01:03:40 Jim Kropp  
01:03:58 Rep. O'Neil  
01:03:48 Jim Kropp  
01:04:06 Chairman Vance  
01:04:12 Rep. Squires  
01:05:07 Jim Kropp  
01:05:56 Rep. Squires  
01:06:19 Jim Kropp  
01:06:31 Rep. Squires  
01:07:14 Jim Kropp  
01:07:39 Rep. Squires  
01:08:05 Jim Kropp  
01:08:13 Chairman Vance

**Closing by Sponsor:**

01:08:23 Rep. Gibson

**EXECUTIVE ACTION ON HB 229**

01:09:41 Chairman Vance  
01:10:05 Rep. Randall

01:10:05 **Motion:** Rep. Randall moved that **HB 229 DO PASS.**

**Discussion:**

01:10:33 Chairman Vance

01:11:20 **Vote:** Motion carried unanimously by voice vote. Rep. Sands voted by proxy.

**EXECUTIVE ACTION ON HB 259**

01:11:35 **Motion:** Rep. Randall moved that **HB 259 DO PASS.**

**Discussion:**

01:12:09 Rep. O'Neil  
01:13:17 Rep. Berry  
01:13:24 Chairman Vance  
01:13:28 Rep. Lavin  
01:13:49 Rep. O'Neil  
01:14:03 Rep. Lavin  
01:14:21 Megan Moore  
01:14:45 Chairman Vance  
01:14:50 Rep. Smith  
01:15:04 Chairman Vance  
01:15:12 Rep. Squires

01:15:18 **Vote:** Motion carried unanimously by voice vote. Rep. Sands voted by proxy.

**EXECUTIVE ACTION ON HB 210**

01:15:36 **Motion:** Rep. Randall moved that **HB 210 DO PASS.**

01:16:27 **Motion/Vote:** Rep. Randall moved that **HB 210 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Sands voted by proxy.

**EXHIBIT**(trh18a05)

01:16:50 **Motion/Vote:** Rep. Randall moved that **HB 210 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Rep. Sands voted by proxy.

**EXECUTIVE ACTION ON HB 187**

01:17:03 **Motion:** Rep. Randall moved that **HB 187 DO PASS.**

**Discussion:**

01:17:34 Chairman Vance  
01:18:46 Rep. Rosendale  
01:19:57 Chairman Vance  
01:20:00 Rep. Sands returned.  
01:20:29 Chairman Vance  
01:21:00 Rep. Berry  
01:21:12 Rep. Arntzen  
01:21:48 Rep. Squires  
01:22:56 Chairman Vance  
01:22:59 Rep. O'Neil  
01:23:57 Rep. Berry  
01:24:13 Chairman Vance

01:24:18 Rep. O'Neil  
 01:24:44 Rep. Berry  
 01:24:57 Chairman Vance  
 01:25:03 Jim Lynch  
 01:28:18 Rep. Sands  
 01:28:30 Jim Lynch  
 01:29:45 Rep. Squires  
 01:29:50 Jim Lynch  
 01:30:08 Chairman Vance  
 01:30:10 Rep. Greef  
 01:31:05 Chairman Vance  
 01:31:17 Rep. Sands  
 01:31:37 Rep. Smith  
 01:32:13 Chairman Vance

01:32:16 **Motion:** Rep. Sands moved that **HB 187 BE AMENDED.**  
[EXHIBIT\(trh18a06\)](#)

**Discussion:**

01:32:55 Chairman Vance  
 01:33:09 Jim Lynch  
 01:33:43 Rep. O'Neil left the room.  
 01:33:55 Chairman Vance

01:34:04 **Vote:** Motion carried 12-0 by voice vote. Rep. O'Neil and did not vote.

01:34:24 **Motion:** Rep. Berry moved that **HB 187 BE AMENDED.**  
[EXHIBIT\(trh18a07\)](#)

**Discussion:**

01:34:59 Chairman Vance  
 01:35:03 Rep. Squires  
 01:35:37 Jim Lynch  
 01:36:05 Chairman Vance  
 01:36:10 Rep. Squires  
 01:37:24 Rep. O'Neil returned.  
 01:37:36 Jim Lynch  
 01:37:45 Chairman Vance  
 01:38:13 Jim Lynch

01:38:44 **Vote:** Motion carried unanimously by voice vote.

01:39:01 **Motion:** Rep. Randall moved that **HB 187 DO PASS AS AMENDED.**

**Discussion:**

01:39:19 Rep. Berry  
 01:39:41 Rep. Rosendale

01:40:10 **Vote:** Motion carried 11-2 by roll call vote with Rep. Greef and Rep. O'Neil voting no.

**EXECUTIVE ACTION ON HB 178**

01:39:51 Chairman Vance, continue Executive Action on HB 178 from 1-19-11.

01:41:13 **Motion:** Rep. Randall moved that **HB 178 DO PASS AS AMENDED.**  
**EXHIBIT**(trh18a08)

**Discussion:**

01:41:16 Megan Moore  
01:41:51 Chairman Vance  
01:41:56 Rep. Sands  
01:42:22 Chairman Vance  
01:42:26 Rep. Randall  
01:43:32 Chairman Vance  
01:43:36 Rep. Arntzen  
01:43:54 Rep. Rosendale  
01:44:25 Chairman Vance

01:44:30 **Vote:** Motion carried 9-4 by roll call vote with Rep. Sands, Rep. Smith, Rep. Squires and Rep. Swanson voting no.

**ADJOURNMENT**

Adjournment: 01:45:41 Chairman Vance

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Stephanie Fletcher, Secretary

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**ADDITIONAL EXHIBITS:**

**[EXHIBIT](#)**(trh18a09)

Additional Documents:

**EXHIBIT**([trh18aad.pdf](#))